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UBER TECHNOLOGIES, INC.  
16 and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,  
21 Plaintiff,  
22 v.  
23 UBER TECHNOLOGIES, INC.,  
24 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
25 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE  
YANG IN SUPPORT OF PLAINTIFF  
WAYMO LLC'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL ITS  
MOTION TO COMPEL  
DEPOSITIONS, OVERRULE  
OBJECTIONS, COMPEL  
INTERROGATORIES, AND COMPEL  
SUPPLEMENTAL 30(B)(6) WITNESS  
(DKT. 1789)**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this  
3 declaration based upon matters within my own personal knowledge and if called as a witness, I  
4 could and would competently testify to the matters set forth herein. I make this declaration in  
5 support of Plaintiff Waymo LLC's Administrative Motion to File Under Seal Its Motion to  
6 Compel Depositions, Overrule Objections, Compel Interrogatories, and Compel Supplemental  
7 30(B)(6) Witness (Dkt. 1789).

8 2. I have reviewed the following documents and confirmed that only the portions  
9 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibit 1	Red Boxes
Exhibit 2	Entire Document
Exhibit 4	Entire Document
Exhibit 10	Red Boxes
Exhibit 12	Red Boxes
Exhibit 16	Red Boxes
Exhibit 17	Red Boxes
Exhibit 21	Red Boxes

21 3. The red boxes in Exhibit 1 contain highly confidential information regarding  
22 development estimates of Otto's self-driving truck program, as well as the identity of a  
23 confidential vendor. This information is not publicly known, and its confidentiality is strictly  
24 maintained. I understand that disclosure of this information could allow competitors and  
25 counterparties to gain insight into the progress of Otto's self-driving truck program and Uber's  
26 business relationships. Disclosure of this information could significantly harm Uber's  
27 competitive standing.  
28

1           4.       The entirety of Exhibit 2 is an internal company presentation containing highly  
2 confidential information regarding a business agreement, including specific financial terms and  
3 commercial terms of the agreement. In addition, the red boxes in Exhibit 21 contain highly  
4 confidential information regarding financial terms of a business agreement. This information is  
5 not publicly known, and its confidentiality is strictly maintained. I understand that disclosure of  
6 this information could allow competitors and counterparties to gain insight into how Uber  
7 structures its business agreements, including detailed information about financial and commercial  
8 terms offered by Uber, allowing them to tailor their own negotiation or business strategy to the  
9 detriment of Uber.

10           5.       The entirety of Exhibit 4 contains highly confidential information regarding the  
11 technical features of a product concept developed at Otto, including design considerations and  
12 technical specifications. This confidential information is not publicly known, and its  
13 confidentiality is strictly maintained. I understand that disclosure of this information could allow  
14 competitors to obtain a competitive advantage over Uber through insight into design  
15 considerations and options, such that they could tailor their own LiDAR development. Uber's  
16 competitive standing could be significantly harmed.

17           6.       The red boxes in Exhibits 10, 16, and 17 contain the contact information of  
18 company executives and employees, whose contact information may become compromised if  
19 disclosed to the public. Defendants seek to seal this information in order to protect the privacy of  
20 these individuals because this lawsuit is currently the subject of extensive media coverage.  
21 Disclosure of this information could expose these individuals to harm or harassment.

22           7.       The red boxes in Exhibit 12 contain the contact information of an individual  
23 involved in this media-intensive case. Waymo did not serve this individual with this particular  
24 document, so Defendants propose those redactions as a courtesy.

25           8.       Defendants' request to seal is narrowly tailored to the portions of Waymo's  
26 Motion and its supporting papers that merit sealing.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed this  
2 29th day of September, 2017 in San Francisco, California.

3  
4 /s/ Michelle Yang

Michelle Yang

5  
6  
7  
8 **ATTESTATION OF E-FILED SIGNATURE**

9 I, Arturo J. Gonzalez, am the ECF User whose ID and password are being used to file this  
10 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has  
11 concurred in this filing.

12  
13 Dated: September 29, 2017

/s/ Arturo J. Gonzalez

ARTURO J. GONZALEZ